

2008-09-10

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 169

THURSDAY, 17 JUNE 2010

1 The House met, at 9 a.m., pursuant to adjournment. The Speaker (Mr Jenkins) took the Chair, and read Prayers.

2 AUSTRALIAN PARLIAMENTARY DELEGATION—REPORT—STATEMENTS BY MEMBERS

The Speaker presented the following document:

Australian Parliamentary Delegation to the eighteenth annual meeting of the Asia Pacific Parliamentary Forum, Singapore, 17-23 January 2010—Report, June 2010—and made a statement in connection with the report.

Mr Ruddock, by leave, also made a statement in connection with the report.

3 HEALTH INSURANCE AMENDMENT (PROFESSIONAL SERVICES REVIEW) BILL 2010

Mr Snowdon (Minister for Indigenous Health, Rural and Regional Health and Regional Services Delivery) for Ms Roxon (Minister for Health and Ageing), pursuant to notice, presented a Bill for an Act to amend the *Health Insurance Act 1973*, and for related purposes.

Document

Mr Snowdon presented an explanatory memorandum to the bill.

Bill read a first time.

Mr Snowdon moved—That the bill be now read a second time.

Debate adjourned (Mr Coulton), and the resumption of the debate made an order of the day for the next sitting.

4 EXPORT MARKET DEVELOPMENT GRANTS AMENDMENT BILL 2010

The order of the day having been read for the resumption of the debate on the question—That the bill be now read a second time—

Debate resumed.

Question—put and passed—bill read a second time.

Leave granted for third reading to be moved immediately.

On the motion of Mr Crean (Minister for Trade), the bill was read a third time.

5 DOCUMENT

Mr McClelland (Attorney-General), presented the following document:

Building Energy Efficiency Disclosure Bill 2010—Replacement explanatory memorandum.

6 TAX LAWS AMENDMENT (RESEARCH AND DEVELOPMENT) BILL 2010

The order of the day having been read for the resumption of the debate on the question—That the bill be now read a second time—

Debate resumed.

Question—put.

The House divided (the Deputy Speaker, Mr Georganas, in the Chair)—

AYES, 72

Mr Adams	Mr Debus	Mr Kerr	Ms Rea
Mr Albanese	Mr Dreyfus	Ms King	Mr Ripoll
Mr Bevis	Mrs Elliot	Ms Livermore	Ms Rishworth
Mr Bidgood	Ms A. L. Ellis	Mr McClelland	Ms Roxon
Ms Bird	Dr Emerson	Ms McKew	Ms Saffin
Mr Bowen	Mr L. D. T. Ferguson	Ms Macklin	Mr Shorten
Mr Bradbury	Mr Fitzgibbon	Mr McMullan	Mr Sidebottom
Mr A. S. Burke	Mr Garrett	Mr Marles	Mr S. F. Smith
Mr Butler	Ms George	Mr Melham	Mr Snowdon
Mr Byrne	Mr Gibbons	Mr Murphy	Mr Sullivan
Ms Campbell	Mr Gray	Ms Neal	Mr Swan
Mr Champion	Ms Grierson	Mr Neumann	Mr Symon
Mr Cheeseman	Mr Hale	Mr O'Connor	Mr Tanner
Mr Clare	Ms Hall*	Ms Owens	Mr C. R. Thomson
Mr Combet	Mr Hayes*	Ms Parke	Mr K. J. Thomson
Mr Crean	Mrs Irwin	Mr Perrett	Mr Turnour
Mr Danby	Ms Jackson	Ms Plibersek	Ms Vamvakinou
Mr D'Ath	Dr Kelly	Mr Price	Mr Zappia

NOES, 54

Mr Andrews	Mr Georgiou	Mrs May	Mr Secker*
Fran Bailey	Mr Haase	Mr Morrison	Mr Slipper
Mr Billson	Mr Hartsuyker	Mrs Moylan	Mr A. D. H. Smith
Mrs B. K. Bishop	Mr A. G. Hawke	Mr Neville	Mr Somlyay
Mr Briggs	Mr D. P. M. Hawker	Mr Oakeshott	Dr Southcott
Mr Broadbent	Mrs Hull*	Ms O'Dwyer	Dr Stone
Mr Chester	Mr Hunt	Mr Pearce	Mr Truss
Mr Ciobo	Dr Jensen	Mr Pyne	Mr Tuckey
Mr Cobb	Mr Keenan	Mr Randall	Mr Turnbull
Mr Coulton	Mr Laming	Mr Robb	Dr Washer
Mr Dutton	Ms Ley	Mr Robert	Mr Windsor
Mr Farmer	Mr Macfarlane	Mr Ruddock	Mr Wood
Mr Fletcher	Ms Marino	Mr Schultz	
Mr Forrest	Mrs Markus	Mr Scott	

* Tellers

And so it was resolved in the affirmative—bill read a second time.

Message from the Governor-General

Message No. 340, 17 May 2010, from Her Excellency the Governor-General was announced recommending an appropriation for the purposes of the bill.

Leave granted for third reading to be moved immediately.

On the motion of Mr Marles (Parliamentary Secretary for Innovation and Industry), the bill was read a third time.

7 INCOME TAX RATES AMENDMENT (RESEARCH AND DEVELOPMENT) BILL 2010

The order of the day having been read for the resumption of the debate on the question—That the bill be now read a second time—

Question—put and passed—bill read a second time.

Leave granted for third reading to be moved immediately.

On the motion of Mr Marles (Parliamentary Secretary for Innovation and Industry), the bill was read a third time.

8 NATIONAL HEALTH AMENDMENT (CONTINENCE AIDS PAYMENT SCHEME) BILL 2010

The order of the day having been read for the resumption of the debate on the question—That the bill be now read a second time—

Debate resumed.

Debate adjourned (Ms Macklin—Minister for Families, Housing, Community Services and Indigenous Affairs), and the resumption of the debate made an order of the day for a later hour this day.

9 MESSAGE FROM THE SENATE—PAID PARENTAL LEAVE BILL 2010

Message No. 452, 17 June 2010, from the Senate was reported returning the Paid Parental Leave Bill 2010 with requests for amendments.

Ordered—That the amendments requested by the Senate be considered immediately.

On the motion of Ms Macklin (Minister for Families, Housing, Community Services and Indigenous Affairs), the requested amendments were made, after debate.

10 MESSAGE FROM THE SENATE—PAID PARENTAL LEAVE (CONSEQUENTIAL AMENDMENTS) BILL 2010

Message No. 453, 17 June 2010, from the Senate was reported returning the Paid Parental Leave (Consequential Amendments) Bill 2010 with an amendment.

Ordered—That the amendment be considered at a later hour this day.

11 NATIONAL HEALTH AMENDMENT (CONTINENCE AIDS PAYMENT SCHEME) BILL 2010

The order of the day having been read for the resumption of the debate on the question—That the bill be now read a second time—

Debate resumed.

Mr Hartsuyker addressing the House—

It being 2 p.m., the debate was interrupted in accordance with standing order 97, Mr Hartsuyker was granted leave to continue his speech when the debate is resumed, and the resumption of the debate made an order of the day for a later hour this day.

12 QUESTIONS

Questions without notice being asked—

Member directed to leave

At 2.23 p.m. the Member for Dickson (Mr Dutton) was directed, under standing order 94, to leave the Chamber for one hour for interjecting, and he accordingly left the Chamber.

Questions without notice continuing—

Document

Mr Albanese (Minister for Infrastructure, Transport, Regional Development and Local Government) presented the following document:

Landsborough Highway—Letter from Robert Fulker, Asset Leader, Cannington Mine, BHP Billiton to Mr Albanese, Minister for Infrastructure, Transport, Regional Development and Local Government, 11 June 2010.

Questions without notice continuing—

Member directed to leave

At 2.51 p.m. the Member for Canning (Mr Randall) was directed, under standing order 94, to leave the Chamber for one hour for interjecting, and he accordingly left the Chamber.

Questions without notice continuing—

Member directed to leave

At 3.31 p.m. the Member for Fowler (Mrs Irwin) was directed, under standing order 94, to leave the Chamber for one hour for interjecting, and she accordingly left the Chamber.

Questions without notice continuing—

Member directed to leave

At 3.33 p.m. the Member for Goldstein (Mr Robb) was directed, under standing order 94, to leave the Chamber for one hour for raising a frivolous point of order, and he accordingly left the Chamber.

Questions without notice continued.

13 AUDITOR-GENERAL'S REPORT

The Speaker presented the following document:

Auditor-General—Audit report No. 45 of 2009–2010—Performance audit—Contracting for Defence Force recruiting services: Department of Defence.

Ordered to be made a Parliamentary Paper.

14 DOCUMENTS

The following documents were presented:

Australian National University—Report for 2009.

Defence Force Discipline Act 1982—Director of Military Prosecutions—Report for 2009.

Renewable Energy Regulator—Report for 2009.

15 DOCUMENT—MOTION TO TAKE NOTE OF DOCUMENT

Mr Albanese (Leader of the House) moved—That the House take note of the following document:

Australian National University—Report for 2009.

Debate adjourned (Mr Hartsuyker), and the resumption of the debate made an order of the day for the next sitting.

16 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—RESOURCE SUPER PROFITS TAX

The House was informed that Mr Billson had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The adverse impact of the Government’s Resource Super Profits Tax on small to medium enterprises”.

The proposed discussion having received the necessary support—

Mr Billson addressed the House.

Discussion interrupted, by leave.

17 MESSAGE FROM THE SENATE—PAID PARENTAL LEAVE BILL 2010

Message No. 473, 17 June 2010, from the Senate was reported returning the Paid Parental Leave Bill 2010 and acquainting the House that the Senate had agreed to the bill as amended by the House at the request of the Senate, with amendments.

Ordered—That the amendments be considered immediately.

On the motion of Ms Macklin (Minister for Families, Housing, Community Services and Indigenous Affairs), amendments Nos 1, 15 and 23 were agreed to, after debate.

On the motion of Ms Macklin, amendments Nos 2 to 14 and 16 to 22 were disagreed to, after debate.

Ms Macklin presented reasons, which were circulated, and are as follows:

Reasons of the House of Representatives for disagreeing to the amendments of the Senate

Senate amendments numbers (2) to (14) and (16) to (22)

These amendments would remove from the Paid Parental Leave Bill 2010 the provisions relating to payment of parental leave pay to a person by the person’s employer.

Employer involvement is a central element of the Paid Parental Leave scheme.

The bill’s intention is that women maintain their attachment to the workforce while they are having their family. Women will maintain that strong connection by receiving their government-funded parental leave pay through their employer, as they would receive any other work entitlement.

Employers will benefit from the scheme through retention of skilled staff, without having to fund the scheme. Where it is affordable, it is expected that more businesses in the future would take steps to complement the new Paid Parental Leave scheme, for example, through family-friendly working arrangements or leave payments.

Only nine per cent of all businesses will be involved in paid parental leave in any given year, and only three per cent of small business.

To help employers prepare for the scheme, the role of employers in providing government-funded parental leave pay will be phased in over the first six months, to align with the new financial year.

Employers will only be required to pay an employee when they have received sufficient funds.

Employers will provide parental leave pay on a “business as usual” basis – they won’t be required to lodge regular reports with the Family Assistance Office or establish special bank accounts.

Parental leave pay will be paid in accordance with an employer’s normal pay practices and the employee’s usual pay cycle. There is no payroll tax and no workers compensation payable. The Paid Parental Leave scheme is expected to be implemented in close consultation with employers, including through the Paid Parental Leave Implementation Group.

This element of the bill – as recommended by the Productivity Commission – sends a strong message that taking leave from work around the time of a birth is a normal part of work and family life.

Accordingly, the House of Representatives does not accept these amendments.

On the motion of Ms Macklin, the reasons were adopted.

18 MESSAGE FROM THE GOVERNOR-GENERAL—PAID PARENTAL LEAVE BILL 2010

Message No. 362, 13 June 2010, from Her Excellency the Governor-General was announced recommending an appropriation for the purpose of amendments to a Bill for an Act to provide for the payment of parental leave pay, and for related purposes (*see item No. 9, page 1867*).

19 PAID PARENTAL LEAVE (CONSEQUENTIAL AMENDMENTS) BILL 2010—SENATE’S AMENDMENT

The order of the day having been read for the consideration of the amendment made by the Senate—

On the motion of Ms Macklin (Minister for Families, Housing, Community Services and Indigenous Affairs), the amendment was disagreed to.

Ms Macklin presented reasons, which were circulated, and are as follows:

Reasons of the House of Representatives for disagreeing to the amendment of the Senate

The amendment would amend the Paid Parental Leave (Consequential Amendments) Bill 2010 as a consequence of the amendments proposed to be made to the Paid Parental Leave Bill 2010. Those amendments would remove the provisions relating to payment of parental leave pay to a person by the person’s employer.

This proposed amendment is opposed for the same reasons as have been given in relation to the proposed amendments to the Paid Parental Leave Bill 2010.

Accordingly, the House of Representatives does not accept this amendment.

On the motion of Ms Macklin, the reasons were adopted.

20 MESSAGE FROM THE SENATE—TAX LAWS AMENDMENT (2010 MEASURES NO. 2) BILL 2010

Message No. 457, 17 June 2010, from the Senate was reported returning the Tax Laws Amendment (2010 Measures No. 2) Bill 2010 with amendments.

Ordered—That the amendments be considered immediately.

On the motion of Mr Clare (Parliamentary Secretary for Employment), the amendments were agreed to.

21 MESSAGES FROM THE SENATE

Messages from the Senate, 17 June 2010, were reported returning the following bills without amendment:

No. 454—Tax Laws Amendment (Medicare Levy and Medicare Levy Surcharge) 2010.

No. 455—Child Support and Family Assistance Legislation Amendment (Budget and Other Measures) 2010.

No. 456—Tax Laws Amendment (2010 GST Administration Measures No. 2) 2010.

No. 458—Tax Laws Amendment (Transfer of Provisions) 2010.

No. 459—Ministers of State Amendment 2010.

No. 460—Electoral and Referendum Amendment (Pre-poll Voting and Other Measures) 2010.

No. 461—Customs Tariff Amendment (No. 1) 2010.

No. 462—Health Legislation Amendment (Australian Community Pharmacy Authority and Private Health Insurance) 2010.

No. 463—Australian Wine and Brandy Corporation Amendment 2009.

No. 464—Transport Security Legislation Amendment (2010 Measures No. 1) 2010.

No. 465—Social Security Amendment (Flexible Participation Requirements for Principal Carers) 2010.

No. 466—Indigenous Education (Targeted Assistance) Amendment 2010.

No. 467—Defence Legislation Amendment (No. 1) 2010.

No. 468—Personal Property Securities (Corporations and Other Amendments) 2010.

No. 469—Interstate Road Transport Charge Amendment 2010.

No. 470—International Arbitration Amendment 2010.

No. 471—Airports (On-Airport Activities Administration) Validation 2010.

No. 472—Export Market Development Grants Amendment 2010.

22 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—RESOURCE SUPER PROFITS TAX**

Discussion having been resumed by Dr Emerson (Minister for Small Business, Independent Contractors and the Service Economy) (*see item No. 16, page 1868*)—

23 **ADJOURNMENT**

It being 4.30 p.m.—The question was proposed—That the House do now adjourn.

Debate ensued.

The House continuing to sit until 5 p.m.—The Speaker adjourned the House until 12 noon on Monday, 21 June 2010.

DOCUMENTS

The following documents were deemed to have been presented on 17 June 2010:

Defence Act—Determinations under section 58B—2010 Nos 23, 24, 25, 26.

ATTENDANCE

All Members attended (at some time during the sitting) except Mr Abbott, Mr Baldwin, Ms A. E. Burke, Ms Collins, Ms K. M. Ellis, Mr Griffin, Mr Irons, Mr Katter, Mr Lindsay, *Mrs Mirabella, Mr Rudd, Mr Simpkins and Mr Trevor.

* On leave

B. C. WRIGHT
Clerk of the House of Representatives

2008-09-10

HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 169

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

THURSDAY, 17 JUNE 2010

1 The Main Committee met at 9.30 a.m.

2 MEMBERS' CONSTITUENCY STATEMENTS

Members' constituency statements being made—

Document

Mr Hale, by leave, presented the following document:

Building the Education Revolution program—Funding information from 10 schools in the Solomon electorate.

Members' constituency statements continued.

3 APPROPRIATION BILL (NO. 1) 2010-2011

The order of the day having been read for the further consideration in detail of the bill—

Schedule—

Proposed expenditures—

Immigration and Citizenship Portfolio, \$1,996,327,000—debated and agreed to.

Resources, Energy and Tourism Portfolio, \$1,130,673,000—debated and agreed to.

Innovation, Industry, Science and Research Portfolio, \$2,248,036,000—debated and agreed to.

Agriculture, Fisheries and Forestry Portfolio, \$655,547,000—debated and agreed to.

Debate adjourned (Mr Melham), and the resumption of the debate made an order of the day for the next sitting.

4 ADJOURNMENT

Mr Melham moved—That the Main Committee do now adjourn.

Debate ensued.

Question—put and passed.

At 12.57 p.m., the Deputy Speaker adjourned the Main Committee until 4 p.m. on Monday, 21 June 2010.

DAVID ELDER
Clerk of the Main Committee